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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. HIROI et al

Serial No.: 09/986,577

Filed: November 9, 2001

For: Pattern Inspection Method And Apparatus

Art Unit: 2625

Examiner: J. Strege

TERMINAL DISCLAIMER

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 13, 2005

Sir:

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The undersigned, Melvin Kraus, as attorney of record, states as follows:

Hitachi, Ltd., having a principal place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101, Japan, is the owner of the entire right, title and interest in and to the subject application by virtue of the assignment recorded November 8, 2001 at reel 012307, frame 0760.

Hitachi, Ltd. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term (as set forth in 35 U.S.C. 154) of any patent issuing on Serial No. 09/986,299, and hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing on Serial No. 09/986,299, this agreement to run with any patent granted on the subject application and to be binding

upon the grantee, its successors and assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the subject application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 USC 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

HITACHI, LTD.

Sept 13, 05
Date

Melvin Kraus
By: Melvin Kraus
Registration No. 22,466
Attorney of Record